

## **REMARKS**

The present filing is responsive to the Office Action.

### **Summary of the Response**

Claims 1-13 have been canceled. New claims 14-33 have been added. Claims 14-33 remain pending in this application. Reexamination and reconsideration of the present application as amended are respectfully requested.

### **Claim Rejections Under 35 USC 112**

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 1, 2, 4, 12 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The specification has been amended to make clear that the column electrodes 6 are on substrate 15, and row electrodes 7 are on substrate 14. These amendments do not introduce any new matter. The structure of the substrate and electrodes of the display device have been schematically illustrated in Fig. 5. Reference is also made to Fig. 1.

Applicant respectfully submits that the new claims fully addressed the issues raised by the Examiner, and they meet all the requirements of the first and second paragraphs of Section 112.

### Drawing Objection

The Examiner objected to the drawings for failure to show the structure recited in claim

1. This rejection is moot given the cancellation of claim 1.

The Examiner also objected to the drawings for failure to label the boxes shown in the drawings, without citing any applicable rules. Applicant respectfully submits that there is no requirement under the patent rules to label blocks in schematic diagrams. Should the Examiner maintain this rejection, Applicant respectfully requests the Examiner to point out specific deficiencies and specific statutory provisions, rules, and legal precedence, which would support a finding of drawing deficiencies.

### Claim Rejections Under 35 USC 102 and 35 USC 103

Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,362,834 to Ishii ("Ishii"). This rejection is respectfully traversed. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,362,834 to Ishii ("Ishii") in view of Applicant's admitted prior art. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,873,312 to Matsueda ("Matsueda") in view of U.S. Patent No. 6,362,834 to Ishii ("Ishii"). Claims 3-6, 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,873,312 to Matsueda ("Matsueda") in view of U.S. Patent No. 6,362,834 to Ishii ("Ishii") and further in view of U.S. Patent No. 6,198,469 to Tjandrasuwita ("Tjandrasuwita"). Claims 9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,873,312 to Matsueda ("Matsueda") in view of U.S. Patent No. 6,362,834 to Ishii ("Ishii") and further in view of U.S. Patent No. 6,897,884 to Tsuge et al. ("Tsuge"). Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

No. 6,873,312 to Matsueda (“Matsueda”) in view of U.S. Patent No. 6,362,834 to Ishii (“Ishii”) and further in view of U.S. Patent No. 6,198,469 to Tjandrasuwita (“Tjandrasuwita”) and further in view of U.S. Patent No. 6,897,884 to Tsuge et al. (“Tsuge”). Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,873,312 to Matsueda (“Matsueda”) in view of U.S. Patent No. 6,362,834 to Ishii (“Ishii”) and further in view of Applicant’s admitted prior art. These rejections are respectfully traversed in view of the new claims.

On the outset, Applicant notes that many of the cited and applied references do not qualify as 102(b) references because they were not published more than one year from the effective priority filing date of the present application. Given the traversal of the rejections below, Applicant has not yet considered the option of swearing behind the references, but reserves the right to do so at a later date.

The rejections are rendered moot in view of the new claims. To the extent that Ishii and Matsueda, the cited primary references, are relevant to the new claims, Applicant provides general comments on some of the deficiencies of these references below.

New claim 14 recites: “the selection driver drives a group of picture elements to display desired gray levels during a selection time, wherein the selection driver drives each picture element within the group by switching on/off state of each picture element within a sequence of consecutive time periods during the selection time, and wherein phase of said sequence of consecutive time periods is shifted for different picture elements within the group.”

New claim 33 recites: “the selection driver drives a group of adjacent picture elements to display a same gray level during a selection time, wherein the selection driver drives each picture element within the group by switching on/off state of each picture element within a sequence of consecutive frame periods during the selection time, and wherein phase of said

sequence of consecutive frame periods is shifted for adjacent picture elements within the group.

Neither Ishii nor Matsueda teach the recited selection driver.

a. Ishii

Ishii does not disclose controlling a group of picture elements to display desired gray levels during a selection time, by switching on/off state of each picture element within a sequence of consecutive time periods during the selection time, and wherein phase of said sequence of consecutive time periods is shifted for different picture elements within the group, as required by new claim 14, or driving a group of adjacent picture elements to display a same gray level during a selection time, by switching on/off state of each picture element within a sequence of consecutive frame periods during the selection time, and wherein phase of said sequence of consecutive frame periods is shifted for adjacent picture elements within the group, as required by new claim 33.

Instead, Ishii is directed to phase control of RGB components of a pixel, by control of RGB phases, using a process that is different from the control of gray levels in the context of the present invention. In one embodiment of the present invention, the gray level of the group of picture elements is controlled to be at a same gray level. (See new claim 24, and claim 33, for example.) In accordance with the present invention, by phase shifting the sequence of consecutive time periods (e.g., frame periods), flicker at the same gray level can be avoided. Control to display desired RGB levels is different from control of desired gray levels without flickering. It would not have been obvious to refer to Ishii to gain knowledge to the recited driver to control gray level without flickering.

b. Matsueda

The Examiner conceded to the deficiencies of Matsueda, namely it does not disclose the driving of different picture elements within a sequence of time periods in a phase shifted manner. The Examiner combined Ishii with Matsueda. As noted above, Ishii is deficient with respect to the recited elements in the new claims. According, even if Ishii and Matsueda can be combined in the manner suggested by the Examiner, such combination would not obtain the present invention.

The new dependent claims recite further limitations that further distinguish the invention from the cited references.

## **CONCLUSION**

In view of all the foregoing, Applicant submits that the claims pending in this application are patentable over the references of record and are in condition for allowance. Such action at an early date is earnestly solicited. **The Examiner is invited to call the undersigned representative to discuss any outstanding issues that may not have been adequately addressed in this response.**

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 501288** referencing the attorney docket number of this application.

Respectfully submitted,

Dated: September 2, 2008

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